REMARKS

In the Office Action[1], the Examiner rejected claims 1-36 under

35 U.S.C. § 103(a), as unpatentable over U.S. Patent No. 6,275,223 B1 to "*Hughes*" in

view of U.S. Patent No. 6,584,479 to "*Chang*" and U.S. Patent No. 6,195,094 to

"*Celebiler.*"

Claims 1, 13, and 24 have been amended. Support for the amendments can be

found at, for example, paragraphs 71, 72, and 80. No new matter has been added.

Claims 1-36 remain pending.

35 U.S.C. § 103

Applicants respectfully traverse the rejection of claims 1-36 under

35 U.S.C. § 103. No *prima facie* case of obviousness has been established.

To establish a *prima facie* case of obviousness, the Examiner must, among other

things, determine the scope and content of the prior art and ascertain the differences

between the claimed invention and the prior art. *See* M.P.E.P. § 2144.08(II)(A).

Furthermore, the Examiner must make "some articulated reasoning with some rational

underpinning to support the legal conclusion of obviousness." *See* M.P.E.P. §§ 2143.03

and 2141(III), 8th Ed., Rev. 6 (September 2007).

A *prima facie* case of obviousness has not been established for at least the

portion of amended claim 1 which recites "providing within the application a non-pattern

based user interface, in response to interrogating the received user input, at least for

displaying data; and receiving, in the non-pattern based user interface, an input from a

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[1] The Office Action contains a number of statement reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement of characterization in the Office Action.

user to change a position of at least one element of the data displayed in the non-pattern based user interface." None of *Hughes*, *Chang*, or *Celebiler* teach or suggest at least this portion of claim 1.

Hughes discloses that "[a]ll graphical user interfaces log into display views generated on a main graphical user interface." Column 3, lines 54-55. "All developers view a same display." Column 3, at lines 62-63. In addition, "each inspector workstation is logged in to the moderator workstation display view" and "all developers have a same view as the moderator in real time." Column 14, lines 36-39. The displays of *Hughes* follow a pattern since each display of *Hughes* is "a same" [sic]. (*emphasis added*). Therefore, no display of *Hughes* constitutes "the non-pattern based user interface" (*emphasis added*), as required by claim 1. In addition, while a "display" is provided in response to "logging in" (*id.*), the displays of *Hughes* are not "provid[ed] . . . in response to interrogating the received user input," as recited in claim 1.

And, Figure 15 of *Hughes* does not teach or suggest a "user interface" as claimed. Instead, in order to annotate "code" in the "source window 1500" of *Hughes*, a user must "activat[e] the annotate item 1509" which "generates an edit annotation window which overlays the inspect source window, as illustrated in FIG. 18." Column 14, lines 47-57. A user cannot "annotate" the "code" within the "source window" itself, and therefore, the "source window" of *Hughes* also fails to constitute or suggest a "user interface" that can "receiv[e] . . . an input from a user to change a position of at least one element of the data displayed in the non-pattern based user interface," as claimed. In addition, since the "edit annotation window" of *Hughes* "overlays the inspect source

window," *Hughes* fails to teach or suggest the claimed interfaces "displayed in frames in a side-by-side relationship" (*emphasis added*), as claimed.

The Office Action asserts that *Chang* discloses "resizing and repositioning of text to accommodate supporting annotations." Office Action, page 3. Even assuming these assertions are true, which Applicants do not concede, *Chang* fails to cure the deficiencies of *Hughes*. That is, *Chang* fails to teach "providing within the application a non-pattern based user interface, in response to interrogating the received user input, at least for displaying data," as claimed.

The Office Action asserts that *Celebiler* discloses "displaying of user interfaces in frames in a side-by-side relationship." Office Action, page 3. Even assuming these assertions are true, which Applicants do not concede, *Celebiler* fails to cure the deficiencies of *Hughes* and *Chang*. That is, *Celebiler* also fails to teach "providing within the application a non-pattern based user interface, in response to interrogating the received user input, at least for displaying data," as claimed.

As explained above, and contrary to the statements in the Office Action, the elements of the claims are neither taught nor suggested by the cited references. In view of the mischaracterizations of the cited references, the Office Action has neither properly determined the scope and content of the prior art nor properly ascertained the differences between the prior art and the claimed invention. Moreover, the Office Action has not explained how one of ordinary skill in the art at the time of the invention could modify the cited references to achieve the claimed combination. Accordingly, no reason has been clearly articulated as to why the claim would have been obvious to one of

ordinary skill in view of the prior art. Therefore, a *prima facie* case of obviousness has not been established with respect to claim 1 and the rejection should be withdrawn.

Independent claims 13 and 25, though of different scope from claim 1, recite elements similar to those set forth above for claim 1. Claims 13 and 25 are therefore allowable over *Hughes*, *Chang*, and *Celebiler* for at least the reasons presented above. Claims 2-12, 14-24 and 26-36 are also allowable at least due to their respective dependence from the independent claims. As such, the Examiner is requested to reconsider and withdraw the rejection under 35 U.S.C. § 103(a).

CONCLUSION

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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